

Board of Selectmen Meeting Minutes
February 7, 2012
Town Hall Annex Meeting Room

Members Present: Chairman Florence Seldin, Timothy Roper, Len Sussman, Sean Summers and David Whitcomb also present Jill Goldsmith, Town Manager.

Chairman Florence Seldin called the meeting to order at: 4:04 pm.

I. Minutes

January 31, 2012

MOTION by: Mr. Roper to approve.

Seconded by: Mr. Sussman

Vote: 5-0-0

II. Public Forum

Nancy Erskine, Chatham Unit, League of Women Voters announced a workshop for potential candidates on February 15, 2012, at 7:00 pm at the Harwich Community Center. "Don't Just Stand There Run" will provide an overview of how to run for office.

Ms. Erskine also announced the Presidential Primary is March 6, 2012; the deadline to register to vote in this election is Wednesday, February 15, 2012.

Ms. Goldsmith announced the website for posting meeting notices, agendas and minutes is now live. The website is www.mytowngovernment.org. Those who do not have internet access can call 978-561-9995 or 413-285-2709 and select option 4 for the Town of Chatham meeting notices.

III. New Business

A. Wastewater Project Update/ Muddy Creek Culvert

The BOS did not recess to a meeting of the Water and Sewer Commissioners as no action would be taken.

Dr. Bob Duncanson provided the quarterly update on the Wastewater Project. A copy of the complete update is available on the Town website at:

http://www.chatham-ma.gov/public_documents/ChathamMa_CWMPlan//Project%20Updates/Feb22012.pdf

Contract 1 – Wastewater Treatment Facility Upgrade: This project remains on-time and on budget. Substantial completion is scheduled for late spring 2012. As of Budget Report #22, twenty change orders have been approved amounting to \$1,469,861.

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Contract 2 – Pump Stations: This contract remains on-time. As of Payment Requisition #16, seven change orders have been approved amounting to \$168,474.19.

Contract 3 – Route 28 Sewer Construction: This contract is back on-time due to the contractor's efforts aided by the extension of working hours from 7:00 AM to 7:00 PM for the fall 2011 construction period. The contract should be completed by the original completion date of Memorial Day 2012. As of Payment Requisition #16, twenty-three change orders have been approved amounting to \$988,795.85. (Note: Three change orders, amounting to \$208,155.84 are related to water service replacements and are charged to the 2010 ATM Water Article.)

Contract 4 – Side Road Sewer Construction: This contract is complete with final payment being made on August 31, 2012.

The BOS asked several questions regarding switchover to the new facility, the addition of new users, notification of new users and finances.

Muddy Creek Culvert

Dr. Duncanson explained the culverts under Rt. 28 at Muddy Creek are a major issue. Muddy Creek was identified as one of the most degraded estuarine systems in Chatham and Harwich when the Town was developing the Comprehensive Wastewater Management Plan (CWMP). As part of the CWMP the Town works with the Massachusetts Estuaries Project (MEP) to develop alternatives to the existing culverts.

In 2009, with funding from the MA Division of Ecological Restoration (MA DER) and the Pleasant Bay Alliance (PBA) hydrodynamic analysis was conducted to determine optimal size for a replacement culvert. The optimum culvert width was determined to be 24 feet. The MEP evaluated the water quality impacts of installing the 24 foot wide culvert and they determined that would be great solution to address the water quality issues as well as addressing wetland restoration.

The Cape Cod Conservation District, in partnership with Chatham, Harwich, PBA and MA DER, made funds available for a study to evaluate three basic designs for replacement of the rectangular culvert. The final report is expected to be released at the end of this month with a public presentation in March.

The benefits of the larger culverts are so significant to managing nitrogen and ecological restoration of Muddy Creek that both Chatham and Harwich determined it was in the towns' best interest to look at funding this project. Both Towns are seeking engineering and permitting funding in FY13 and construction funding in FY14. However, project partners continue to seek outside funding opportunities.

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The BOS asked questions regarding using allocated funds not being used for sewer construction, construction costs, and monitoring water quality.

Ms. Seldin requested an updated projected debt schedule.

No action was taken by the BOS.

B. Economic Sustainability (Development) Committee; Establish Advisory Committee and Set Mission/Charge (Continued from 1/10/12)

Item postponed to 2/14/2012 meeting.

C. Joint Discussion with FinCom: FY2013 Monomoy Regional School District Budget Presentation (5:00 pm)

Members Present: Chairman Kenneth Sommer, Roslyn Coleman, Richard Stenberg, Cray, Robert Dow, John Whelan, Coleman Yeaw, Norma Avellar, Jo Ann Sprague joined members of the Board of Selectmen and the Town Manager.

Mr. Sommer introduced Mr. Crea, a new member of FinCom.

Dr. Cragin, Superintendent Monomoy Regional School District, presented the FY2013 budget for the Regional School District. The total operating budget for the school district is \$29,483,943. This is a 5.1% increase from FY12. The total assessment for Chatham is \$8,404,032. The next steps in the process are refining/updating numbers, meeting with Finance Committees, Boards of Selectmen and Town Administrator/Town Manager, budget forums and final budget approval (March 14). This budget has a number of question marks but that will change and the budget is expected to decrease.

Ms. Seldin announced the Public Hearing is tomorrow and any questions they public may have should be presented at tomorrow's meeting.

Several questions were raised by the members of FinCom and the BOS addressing the special education budget, school choice funds, projected savings, multi-year planning, regional transportation, and existing debt.

Ms. Seldin ended the Joint Session at 6:30 in order to address additional agenda items.

D. Mitchell River Bridge - Revised Memorandum of Agreement

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Mr. Whitcomb stated the revised MOA is exactly what was discussed at the conference call, also took into consideration the comments of SHPO and the BOS should acknowledge that and encourage the signatories to sign.

Mr. Sussman agrees this MOA is a faithful outcome of the expression of intent discussed at the teleconference and supports signing this MOA.

Mr. Roper stated the draft conformed to the requests listed in the letter the BOS sent to Federal Highway but prefers to see the response of the Advisory Council on Historic Preservation prior to the BOS making a decision to sign the MOA.

Mr. Pacun, Friends of Mitchell River Wooden Drawbridge, spoke in opposition of the revised MOA.

MOTION: to send a letter and encourage the signatories to sign the modified MOA.

Seconded by: Mr. Sussman

Vote: 4-0-0 (Mr. Roper is opposed)

E. FY2013 Budget Discussion

Item postponed to 2/14/2012 meeting.

F. Town Manager's Report

Report was not given due to time constraints.

G. Committee Appointments – Public Ceremonies Committee

MOTION: Mr. Roper to set the maximum number of members Public Ceremonies Committee to ten (10) members.

Seconded by: Mr. Sussman

Vote: 5-0-0

MOTION: Mr. Roper to establish terms for the Public Ceremonies Committee. The terms shall be: four members appointed to three year terms, four members appointed to two year terms and two members appointed to one year terms with their successors being appointed for terms of three years each.

Seconded by: Mr. Sussman

Vote: 5-0-0

MOTION: Mr. Roper to appoint Douglas Ann Bohman to the Public Ceremonies Committee for the term ending June 30, 2015 or until a successor is appointed.

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Seconded by: Mr. Sussman

Vote: 5-0-0

MOTION: Mr. Roper to appoint Robert Franz to the Public Ceremonies Committee for the term ending June 30, 2015 or until a successor is appointed.

Seconded by: Mr. Sussman

Vote: 5-0-0

MOTION: Mr. Roper to appoint Donald Edge to the Public Ceremonies Committee for the term ending June 30, 2015 or until a successor is appointed.

Seconded by: Mr. Sussman

Vote: 5-0-0

MOTION: Mr. Roper to appoint Brad Schiff to the Public Ceremonies Committee for the term ending June 30, 2015 or until a successor is appointed.

Seconded by: Mr. Sussman

Vote: 5-0-0

MOTION: Mr. Roper to appoint Carol Abel to the Public Ceremonies Committee for the term ending June 30, 2014 or until a successor is appointed.

Seconded by: Mr. Sussman

Vote: 5-0-0

MOTION: Mr. Roper to appoint Richard Clifford to the Public Ceremonies Committee for the term ending June 30, 2014 or until a successor is appointed.

Seconded by: Mr. Sussman

Vote: 5-0-0

MOTION: Mr. Roper to appoint Gail Tilton to the Public Ceremonies Committee for the term ending June 30, 2014 or until a successor is appointed.

Seconded by: Mr. Sussman

Vote: 5-0-0

MOTION: Mr. Roper to appoint John King to the Public Ceremonies Committee for the term ending June 30, 2014 or until a successor is appointed.

Seconded by: Mr. Sussman

Vote: 5-0-0

MOTION: Mr. Roper to appoint Stephanie Hamilton to the Public Ceremonies Committee for the term ending June 30, 2015 or until a successor is appointed.

Seconded by: Mr. Sussman

Vote: 5-0-0

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MOTION: Mr. Roper to appoint John Scott to the Public Ceremonies Committee for the term ending June 30, 2015 or until a successor is appointed.

Seconded by: Mr. Sussman

Vote: 5-0-0

IV. Other Business

V. Executive Session

Litigation Update (MGL Ch.30A, §21#3)

ROLL CALL VOTE by Ms. Seldin: to adjourn to Executive Session with no public session to follow

Mr. Whitcomb: Yes

Mr. Summers: Yes

Mr. Roper: Yes

Mr. Sussman: Yes

Ms. Seldin: Yes

Vote: 5-0-0

MOTION by: Mr. Whitcomb to adjourn.

Seconded by: Mr. Roper

Vote: 5-0-0

Meeting adjourned at 6: 53pm.

Respectfully submitted

Kristin M. Sullivan